IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.891 OF 2007

1.Salim Habib Shaikh, &
2.Fayaiz Nizam Shaikh. ...Applicants.

Versus

The State of Maharashtra ...Respondent.

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Mr.Deepak Girme, Adv. for Applicants.
Mr.Rajesh More, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 28th March, 2007.

P.C.:

1. Heard the learned Advocate for the Applicants and the learned APP for the State.

2. The applicants are seeking bail in C.R.No.254 of 2006 of Khadak Police Station. The said case is under Section 307 of IPC.

3. It is the prosecution case that the present applicants along with two others assaulted complainant Ganesh and one Manoj. The learned Advocate for the applicants has submitted that looking to the injuries on the person of Ganesh

and Manoj, this cannot be said to be a case under Section 307 of IPC and at the most the case would fall under section 324 of IPC.

4. On perusal of the injury certificates, *prima facie*, I find that the case may not fall under section 307 of IPC. It is an admitted fact that both the applicants are 18 years of age. Moreover, the investigation in the present case is over.

5. Looking to all these facts, I am inclined to grant bail to the applicants.

6. The applicants to be released on bail in the sum of Rs.20,000/- each with one or two sureties to make up the said amount. The applicants shall report to Khadak Police Station, once in a week.

7. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)